

**ORDINANCE 2022-32
OF THE TOWN OF ZIONSVILLE**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF ZIONSVILLE,
INDIANA, FOR THE PURPOSE OF ESTABLISHING
COUNCILMANIC DISTRICTS**

WHEREAS, Ind. Code §36-5-2-4.1 requires the Town Council (the “Council”) of the Town of Zionsville, Indiana (the “Town”) to redistrict the Town’s legislative body districts in the second year after a year in which a federal decennial census is conducted; and

WHEREAS, pursuant to Resolution No. 2022-21 adopted on November 21, 2022, the Town Council established Guidelines for Town Council Legislative Redistricting (the “Guidelines”) setting forth the procedures and requirements for accomplishing the redistricting process; and

WHEREAS, pursuant to the Guidelines, the Town caused to be published a “Notice Regarding Division of the Town Council of the Town of Zionsville, Indiana into Legislative Body Districts” (the “Notice”) in the *Indianapolis Star* and *Lebanon Reporter* on November 22, 2022, and made the Notice available in the office of the Municipal Relations Coordinator of the Town; and

WHEREAS, the Council made provision for members of the public to object to the provisions of the Guidelines and gave public notice of the same in the Notice and no objections were submitted by members of the public; and

WHEREAS, the Council made provision for members of the public to submit proposed maps in compliance with the Guidelines and gave public notice of the same in the Notice and two (2) proposals were submitted by members of the public (i) one with a total deviation of 8.67% and the omission of the Guideline requirement to have all portions of a district contiguous to all other portions of the district and (ii) one with a total deviation of 10.8%; and

WHEREAS, the Council has received and considered a proposed Redistricting Plan submitted by the Redistricting Coordinator appointed by the Council (the “Coordinator’s Plan”) which the Council finds has a total deviation of 2.64%, and otherwise fully complies with the Guidelines and the Act; and

WHEREAS, as the Coordinator’s Plan divides three (3) precincts (Eagle 03, Eagle 20, and Union 02) to attain greater population equality, the Municipal Relations Coordinator mailed written notice to the Boone County Clerk, and the Council hereby finds that such divisions are necessary and appropriate; and

WHEREAS, pursuant to the Notice, the Council held a public hearing on December 7, 2022 on the plans received by the Council at which members of the public could present testimony and render objections to or support for the plans to be considered for adoption; and

WHEREAS, the Council now desires to adopt the Coordinator's Plan as the plan with the lowest total deviation with minimal precinct splits and to establish new Town legislative body districts for the elections occurring in 2023 utilizing the 2020 decennial census data as required by Ind. Code §1-1-3.5-3.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ZIONSVILLE, BOONE COUNTY, INDIANA AS FOLLOWS:

Section 1. Recitals Incorporated. The foregoing Recitals are incorporated herein by this reference.

Section 2. Districts Established. Zionsville Town Code Title III, Chapter 30, Section 30.01 is hereby replaced and amended and shall hereafter read as follows:

§30.01 – Division of Town Into Districts

- (A) The Council shall be composed of seven (7) members, five of whom are elected from single-member districts and two (2) of whom are elected at large.
- (B) The Council divides the Town into five (5) single-member districts for the purpose of conducting elections of Council members as follows (descriptions include only those portions of the listed precincts which are within the Town's corporate boundaries):
 - (1) District 1 includes the following precincts: Eagle 05; Eagle 14; Union 01; that portion of Union 02 located north of County Road East 200 South and west of Pleasant View Road; and Worth 02
 - (2) District 2 includes the following precincts: that portion of Eagle 03 located south of Bloor Lane; Eagle 09; Eagle 10; Eagle 17; and that portion of Eagle 20 located north of Whitestown Parkway
 - (3) District 3 includes the following precincts: Eagle 07; Eagle 13; Eagle 16; Eagle 19; that portion of Eagle 20 located south of Whitestown Parkway; and Perry.
 - (4) District 4 includes the following precincts: Eagle 02; Eagle 04; Eagle 08; Eagle 11; and Eagle 12.
 - (5) District 5 includes the following precincts: Eagle 01; that portion of Eagle 03 located north of Bloor Lane; Eagle 06; Eagle 15; Eagle 18; and that portion of Union 02 located south of County Road East 200 South and east of Pleasant View Road.
- (C) Attached to this Ordinance as Exhibit A are maps showing the boundaries of each Council district collectively and separately (the "Maps") which maps are incorporated herein by reference. Two copies of the foregoing Maps are on file in the office of the Municipal Relations Coordinator for public inspection as required by Ind. Code §36-1-5-4.

- (D) If a conflict exists between the Maps and the descriptions set forth in subsection (B) of this Section (the “Descriptions”), in accordance with Ind. Code §3-5-10-9, the Descriptions shall determine the boundaries of the Council district.
- (E) If any territory in the Town is not included in one of the Council districts, in accordance with Ind. Code §3-5-10-10 and Ind. Code §36-5-2-4.1(d), the excluded territory shall be included in the Council district that: (i) is contiguous to that territory; and (ii) contains the least population of all Council districts contiguous to that territory.
- (F) If any territory in the Town is included in more than one (1) of the Council districts, in accordance with Ind. Code §3-5-10-11, the territory shall be included in the Council district that: (i) is one (1) of the districts in which the territory is described in this Ordinance; (ii) is contiguous to that territory; and (iii) contains the least population of all Council districts contiguous to that territory.
- (G) In accordance with Ind. Code §36-5-2-4.1(k) this Ordinance must be construed, if possible, to comply with the provisions of Ind. Code §36-5-2-4.1. The provisions of this Ordinance are severable and if any provision is found to be invalid, the invalidity shall not affect the other provisions of this Ordinance that can be given effect without the invalid provision.

Section 3. **Ordinances Repealed.** All prior ordinances or parts thereof inconsistent with any provision of this Ordinance are hereby repealed to the extent of such inconsistency, as of the effective date of this Ordinance, such repeal to have prospective application only.

Section 4. **Effective Date.** This Ordinance shall be in full force and effect immediately upon its passage.

Introduced and filed on this 7th day of December, 2022.

A motion to consider on First Reading was sustained by a vote of __in favor and ____opposed, pursuant to Indiana Code § 36-5-2-9.8.

[Signature Page Follows]

DULY PASSED AND ADOPTED this ____ day of December, 2022, by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by a vote of ____ in favor and ____ opposed.

TOWN COUNCIL FOR THE TOWN OF ZIONSVILLE

YEA

NAY

Signature

Signature

Jason Plunkett, President		
Brad Burk, Vice-President		
Josh Garrett, Member		
Alexander Choi, Member		
Joe Culp, Member		
Craig Melton, Member		
Bryan Traylor, Member		

I hereby certify that the foregoing Ordinance was delivered to the Town of Zionsville Mayor Emily Styron on the ____ day of December, 2022, at _____.m.

ATTEST:

Amelia Anne Lacy,
Municipal Relations Coordinator

MAYOR'S APPROVAL

Emily Styron, Mayor

Date

MAYOR'S VETO

Emily Styron, Mayor

Date